

MINUTES
ZONING BOARD OF APPEALS
FEBRUARY 22, 2012 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 1

I. ROLL CALL

Present: Kravits, Russotto, Stebbins, Mencer
Excused: Grady, Manning
Staff: Cullen, Doolittle

Chairman Stebbins called the meeting to order at 7:00 p.m. and reviewed the public hearing procedures.

Chairman Stebbins appointed Russotto as acting secretary for the evening in the absence of Manning.

Attorney Casey stated for the record that he would like to proceed tonight with only four members present.

II. PUBLIC HEARINGS

ZBA#12-01 – 159 Packer Road, Gary & Aubrey Birkhamshaw/Owners, John Casey, Esq./Applicant's Agent; for a variance to Section 5.1-3 to allow a reconstructed historic mill to be used to house a small-scale craft manufacturing use. PIN 271013032214, RU-40 zone.

Acting Secretary Russotto read the legal ad and stated that the mailings were in order.

Attorney John Casey, Robinson & Cole, representing the applicant, addressed the Commission discussing the proposed use for the site. He submitted a large scale site plan as well as photographs to orient the Commission to the current condition of the site.

Gary Birkhamshaw, owner, addressed the Commission, describing his business of hand-crafted wooden stringed instruments and his plans to fabricate and store materials in the reconstructed mill. The hours of operation, deliveries, materials, tools and waste cleanup were discussed. Mr. Birkhamshaw described his plans for the layout of the mill with all machinery being located in the basement and office and storage being on the other two levels.

Attorney Casey stated that they are seeking a variance on the hardship that they cannot make full value of the property unless they can use the mill for small-scale craft manufacturing use. They want to preserve the historic value of the foundation and in order to do that they have to leave it as is or rebuild the mill to its historic condition. Acting Secretary Russotto noted that a favorable endorsement was received from the Planning Commission and the Economic Development Commission.

Mr. & Mrs. Birkhamshaw will be living on the property with a couple employees arriving daily as well as an occasional customer. The conditions of the variance requested were discussed.

The Chairman asked for comments from the public.

Kenneth Gabriellini, 135 Packer Road, spoke in favor of the application.

Jim Mitchell, 711 Cow Hill Road, spoke in favor of the application.

Roberta Brown, 268 Godfrey Road, asked questions regarding her own assessment and wanted clarification to what the variance was actually for.

Nancy Mitchell, 711 Cow Hill Road, spoke in opposition of the application.

The referrals from the Planning Commission and the Economic Development Commission were read into the record.

A letter of support was submitted with signatures from Christine Billings, Lisa Gunderman & Kenneth and Rosalie Gabriellini.

The public hearing was closed at 8:45 p.m.

III. MEETING FOLLOWING PUBLIC HEARINGS

1) Decisions on Public Hearing Application

ZBA#12-01 – 159 Packer Road, Gary & Aubrey Birkhamshaw/Owners, John Casey, Esq./Applicant's Agent; for a variance to Section 5.1-3 to allow a reconstructed historic mill to be used to house a small-scale craft manufacturing use. PIN 271013032214, RU-40 zone.

The Commission discussed future use of the site including future owners, the restrictions proposed by the applicant, hardships and zoning regulations.

MOTION: To continue the decision on ZBA#12-01 – 159 Packer Road, Gary & Aubrey Birkhamshaw/Owners

Motion made by Russotto, seconded by Kravits. MOTION PASSED UNANIMOUSLY.

2) Correspondence – The CFPZA invitation was handed out.

3) Minutes – Meeting of November 9, 2011

MOTION: To approve the minutes of November 9, 2011 as presented.

Motion made by Russotto, seconded by Kravits. MOTION PASSED UNANIMOUSLY.

4) Old Business – Staff noted that the Berg application has been withdrawn.

5) New Business

a) Election of Officers – The Commission tabled this item.

b) New Applications – Applebee's

Staff noted this will be heard on March 14, 2012.

6) Report of Staff – None

IV. ADJOURNMENT

Motion to adjourn at 9:30 p.m. was made by Stebbins, seconded by Kravits, so voted unanimously.

Scott Russotto, Acting Secretary
Zoning Board of Appeals

Prepared by Katie Doolittle, Office Assistant II